

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PINNA, L.P.,

Plaintiff,

v.

LAMONT LUMPKINS,

Defendant.

No. C 13-01966 SI

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND
REMANDING THE ACTION TO
ALAMEDA COUNTY SUPERIOR
COURT**

On February 5, 2013, plaintiff filed an action in Alameda County Superior Court against defendant for unlawful detainer. Defendant removed the case to this Court on April 30, 2013. On May 6, 2013, Chief Magistrate Judge Elizabeth Laporte filed a Report and Recommendation recommending that the case be remanded. The Report and Recommendation was served on defendants by mail. Defendants made no objections by the May 21, 2013 deadline, or thereafter.

Lacking both parties' consent to proceed before a magistrate judge, the case was reassigned here on May 6, 2013. The Court has reviewed the Report and Recommendation, the complaint, and all other documentation the parties have filed, and concludes that the case should be remanded because this Court lacks jurisdiction as set forth in the Report and Recommendation.

Accordingly, the Court ADOPTS the Report and Recommendation and REMANDS the case to the Alameda County Superior Court.

IT IS SO ORDERED.

Dated: May 23 , 2013



SUSAN ILLSTON
United States District Judge